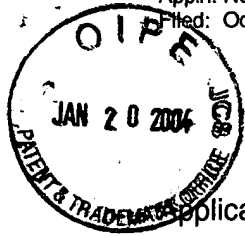


Appl. No. 10/684,778
 Filed: October 14, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Sau-Hung Spence Leung; Alain Martin; Robert S. Leone

Serial No.: 10/684,778

Art Unit : Anticipated 1615

Filed : October 14, 2003

Examiner: Anticipated Todd Ware

For : FAST DISSOLVING ORALLY CONSUMABLE FILMS

Date : January 13, 2004

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
 UNDER 37 C.F.R. § 1.97**

Sir:

Pursuant to 37 C.F.R § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449 submitted in accordance with 37 C.F.R § § 1.98 (a) (1) and 1.98 (b). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein. In accordance with 37 C.F.R § 1.97 (b) (3), this Information Disclosure Statement is being timely submitted within three months of filing the application.

While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. § § 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56. Also listed in this Information Disclosure Statement are the references cited in the International Search Report of the corresponding international application WO 00/18365 of the priority application, application number 09/395,104 filed on September 14, 1999.

CERTIFICATION PURSUANT TO 37 C.F.R. § 1.8

I hereby certify that this correspondence and any documents referred to as enclosed are being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, Alexandria, VA 22313 on this 14th day of January, 2004.

Mary M. Helmken

(Typed or printed name of person mailing)

(Signature of person mailing papers, Date)

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney or agent of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

Applicants are aware of sales in Japan of rapidly dissolving films believed to be made from pullulan under the commercial names of "Herbleaf" and possibly others, more than one year prior to the priority date of September 25, 1998 of the provisional application, number 60/101,798, of priority application 09/395,104 filed on September 14, 1999. Applicants are not aware of the exact composition of these films but are aware that these were used for breath freshening.

In accordance with 37 C.F.R. § 1.98 (d), copies of the listed references are not enclosed since they were previously cited by or submitted to the Office in the prior application, USSN 09/395,104, filed on September 14, 1999, which is relied upon for an earlier filing date under 35 U.S.C. 120, and USSN 09/836,474, filed on April 18, 2001 and USSN 10/423,735, filed April 25, 2003. Please note that the following references are enclosed since they were not previously disclosed:

Pat. No.	Date	Inventor
2003/0054039	3/20/03	Zyck et al.
03/015656	2/27/03	WIPO
2003/0224090	12/4/03	Pearce et al.

Please credit any overpayment or charge any additional fees to Deposit Account No.:
23-0458.

Respectfully submitted,

Date: 11/14/04



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FORM PTO-1449 U.S. DEPARTMENT OF
(Rev. 2-32) COMMERCE PATENT &
TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

5746B/C1-03-BHJ

10/684,778

APPLICANT

Sau-Hung Spence Leung et al.

FILING DATE

October 14, 2003

GROUP

Not Assigned

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3 4 4 4 8 5 8	5/20/66	Russell			
	4 1 9 7 2 8 9	4/8/80	Sturzenegger et al.			
	4 5 6 2 0 2 0	12/31/85	Hijiya et al.			
	4 6 2 3 3 9 4	11/18/86	Nakamura et al.			
	4 9 2 5 6 7 0	5/15/90	Schmidt			
	4 9 2 7 6 3 6	5/22/90	Hijiya et al.			
	5 0 4 7 2 4 4	9/10/91	Sanvordeker et al.			
	5 3 5 4 5 5 1	10/11/94	Schmidt			
	5 4 1 1 9 4 5	5/2/95	Ozaki et al.			
	5 5 1 8 9 0 2	5/21/96	Ozaki et al.			
	5 6 2 9 0 0 3	5/13/97	Horstmann et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	1 3 1 3 6 2 0	2/16/93	Canada				
	WO 9 8 2 6 7 6 3	6/25/98	WIPO				X
	WO 9 8 2 6 7 8 0	6/25/98	WIPO				X
	WO 9 8 5 5 0 7 9	12/10/98	WIPO				
	WO 9 9 1 7 7 5 3	4/15/99	WIPO				
	JP 1 0 1 7 9 04 51	12/25/96	Japan				
	JP 6 3 2 8 0 0 14	11/17/88	Japan				
	JP 2 6 4 2 3 5 4	5/2/97	Japan				
	JP 5 2 3 6 8 8 5	9/17/93	Japan				
	JP 6 3 2 9 6 6 55	12/2/88	Japan				

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, etc)

Edible Films Solve Problems; Food Technology; Vol. 51, No. 2; 2/97; pps. 60 - 74

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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(Rev. 2-32) COMMERCE PATENT &
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ATTY. DOCKET NO.

SERIAL NO.

5746B/C1-03-BHJ

10/684,778

APPLICANT

Sau-Hung Spence Leung et al.

FILING DATE

October 14, 2003

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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, etc)

		(including Author, Year, Date, Volume/Pages, etc.)
		Remington: The Science & Practice of Pharmacy; Vol. 2; pp 891-893; 1995

EXAMINER

DATE CONSIDERED

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5746B/C1-03-BHJ

10/684,778

Sau-Hung Spence Leung et al.

October 14, 2003

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[illegible][illegible]

(Including Author, Title, Date, Pertinent Pages, etc)

(Including Author, Title, Date, Portion, Pages, etc.)			

DATE CONSIDERED

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(Rev. 8-32) COMMERCE PATENT &
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5746B/C1-03-BHJ

SERIAL NO.

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3 8 0 3 3 0 0	4/9/74	Pospischil et al.			
	5 7 4 1 5 1 0	4/21/98	Rolf et al.			
	5 0 2 3 0 8 2	6/11/91	Friedman et al.			
	5 4 5 6 7 4 5	10/95	Roreger et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 0 8 0 3 2 4 3	10/29/97	EP				
	EP 0 4 7 1 5 5 8	2/19/92	EP				
	EP 0 7 5 0 9 0 5	1/2/97	EP				
	JP 0 4 3 2 1 6 19	11/11/92	Japan			Abstract	
	JP 6 2 0 7 2 6 09	4/3/87	Japan			Abstract	
	EP 0 1 6 1 6 8 1	11/21/85	EP				
	WO 9 7 3 1 6 2 1	9/4/97	WIPO				
	JP 6 2 1 3 5 4 17	6/18/87	Japan			Abstract	
	EP 0 7 8 1 5 4 6	2/7/97	EP				
	EP 0 2 5 6 6 1 1	2/24/88	EP				
	WO 9 8 1 1 8 6 7	3/26/98	WIPO				
	JP 0 2 0 5 9 5 13	2/28/90	Japan				

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, etc)

Shih, Frederick F.; "Edible films from rice protein concentrate and pullulan."; Cereal Chemistry, vol. 73, no. 3, 1996; pp 406-409.

EXAMINER

DATE CONSIDERED

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Sau-Hung Spence Leung et al.

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